

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
CLARKSBURG

FILED

AUG 08 2022

U.S. DISTRICT COURT-WVND
CLARKSBURG, WV 26301

UNITED STATES OF AMERICA,

Plaintiff,

v.

CRIMINAL ACTION NO.: 1:22-CR-49

BRUCE HENRY SMITH,

Defendant.

DUE PROCESS PROTECTIONS ACT ORDER
TO ALL COUNSEL REGARDING BRADY OBLIGATIONS

Pursuant to the Due Process Protections Act of 2020, the Court reminds the Government's attorneys that under Brady v. Maryland, 373 U.S. 83 (1963) and its progeny, failing to disclose favorable evidence to the accused violates due process where the evidence is material either to guilt or punishment. Further, consequences for a Brady violation can include, but are not necessarily limited to, a vacated conviction and disciplinary actions against the prosecutor.

The Clerk of Court is **DIRECTED** to transmit copies of this Order to all counsel of record herein.

DATED: August 8, 2022


MICHAEL JOHN ALOI
UNITED STATES MAGISTRATE JUDGE